

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETER KOSTYSHYN,	§
	§ No. 107, 2023
Defendant Below,	§
Appellant,	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
	§
STATE OF DELAWARE,	§
	§ Cr. ID Nos. 2108001842 (N)
Appellee.	§ 2108002662 (N)
	§ 2206009335 (N)

Submitted: April 28, 2023

Decided: April 28, 2023

**ORDER**

On March 24, 2023, the appellant, Peter Kostyshyn, filed a notice of appeal from certain actions taken by the Court of Common Pleas in connection with Kostyshyn’s three pending criminal cases.<sup>1</sup> On March 28, 2023, the Senior Court Clerk issued, by certified mail, a notice directing Kostyshyn to show cause why his appeal should not be dismissed for this Court’s lack of jurisdiction to consider either an appeal directly from the Court of Common Pleas or a criminal interlocutory appeal. The notice to show cause was sent to the address provided by Kostyshyn in his notice of appeal. On April 14, 2023, the notice to show cause was resent by first

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<sup>1</sup> The only order entered by the Court of Common Pleas (an order granting Kostyshyn’s counsel’s motion to withdraw) was entered after Kostyshyn filed his notice of appeal.

class mail. A timely response to the notice to show cause was due on or before April 27, 2023. To date, Kostyshyn has not responded to the notice to show cause. Dismissal of the appeal is therefore deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.  
Chief Justice